



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

CITIZENS PLAZA BUILDING
400 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1403

TELEPHONE: 615-313-4700 FAX: 615-741-4165
TTY: 1-800-270-1349
www.tn.gov/humanservices

BILL HASLAM

GOVERNOR

DANIELLE W. BARNES

COMMISSIONER

October 11, 2017

Mr. Rosman Randle, Director
Giving Youth A Chance
476 Lipford Street
Memphis, Tennessee 38112

Dear Mr. Randle:

The Department of Human Services (DHS) Audit Services staff conducted an on-site, unannounced review of the Summer Food Service Program (SFSP) at Giving Youth A Chance, Application Agreement number 00-033, on August 17, 2017. We reviewed the Sponsor's records of reimbursements and expenditures for June 2017. The Sponsor was approved for 50 feeding sites of which 37 were in operation during our unannounced visits in June 2017. The purpose of this review was to determine if the Sponsor complied with *Title 7 of the Code of Federal Regulations* (CFR) applicable parts, application agreement, and applicable Federal and State regulations.

Background

Meals served by participating sponsoring organizations must meet the minimum guidelines set by the United States Department of Agriculture (USDA) and the Tennessee Department of Human Services (DHS) to be eligible for reimbursement. SFSP sponsors utilize meal count sheets to record the number of meals served at feeding sites for breakfast, lunch, supper and supplements (snacks). Second meals are offered once all eligible children have been served first meals. The SFSP sponsor will report the number of meals served through the DHS Tennessee Information Payment System (TIPS) to seek reimbursement.

We inspected meal counts sheets for each site for our test period, and reconciled the meals claimed to the meals reported as served for each meal service. In addition, we also observed select meal services at 0003 Bernal E. Smith Boys & Girls Club, 0011 Ira Samelson Boys & Girls Club, 0104 Huntington Hills Apartments, 0042 Family Dentistry, 0002 Appletree Apartments, and 0032 Sycamore View Boys & Girls Club feeding sites during this period.

Our review of the Sponsor's records for the test month of June 2017 disclosed the following:

1. The number of meals reported for reimbursement was incorrect

Condition

The Sponsor's claim for reimbursement for June 2017 was incorrect.

Breakfast meals claim:

The claim for reimbursement summary for June 2017 reported 5,593 first breakfast meals and 112 allowable second breakfast meals served for a total of 5,705 breakfasts. However, based on our review of the Sponsor's records, we noted that that 5,514 first breakfast meals and 167 second breakfast meals were served. The total allowable second meals cannot exceed 2% of first meals, therefore the Sponsor can only be reimbursed for 110 second breakfasts. The first breakfast meals were over reported by 79. The second breakfasts were over reported by two. This resulted in a total of 5,624 breakfast meals prior to any disallowances. The Sponsor over reported the number of breakfast meals by 81.

Lunch meals claimed:

The claim for reimbursement summary for June 2017 reported 38,845 first lunch meals and 777 allowable second lunch meals served for a total of 39,622 lunches. However, based on our review of the Sponsor's records, we noted that 38,704 first lunch meals and 953 second lunch meals were served. The total allowable second meals cannot exceed 2% of first meals therefore the Sponsor can only be reimbursed for 774 second lunches. This resulted in a total of 39,478 reconciled lunches prior to any disallowances. The number of first lunches was over reported by 141 and the number of second lunches was over reported by three. The Sponsor over reported the number of lunches by 144.

PM Supplement meals claimed:

The claim for reimbursement summary for June 2017 reported 33,982 first pm supplements and 505 allowable second pm supplements served for a total of 34,487 pm supplements. However, based on our review of the Sponsor's records, we noted that 34,104 first pm supplements and 759 second pm supplements were served. The total allowable second meals cannot exceed 2% of first meals therefore the Sponsor can only be reimbursed for 682 second pm supplements. The number of first meals was under reported by 122 and seconds were under reported by 177. This resulted in a total of 34,786 reconciled pm supplements prior to any disallowances. The Sponsor under reported the number of pm supplements by 299.

Supper meals claimed:

The claim for reimbursement summary for June 2017 reported 132 first suppers and three second suppers served for a total of 135 suppers. However, based on our review of the Sponsor's records, we noted that 123 first suppers and three second suppers served. This resulted in a total 126 reconciled suppers prior to any disallowances. The Sponsor over reported the number of suppers by 9.

Criteria

Title 7 of the US Code of Federal Regulations, Section 225.9 (d) (5) states "claims for reimbursement shall report information in accordance with the financial management system established by the State agency, and in sufficient detail to justify the reimbursement claimed and to enable the State agency to provide the Reports of Summer Food Service Program

Operations required under §225.8 (b). In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question.”

Recommendation

The sponsor should ensure that meals claimed for reimbursement are based on completed meal count sheets and any other appropriate records.

2. Point of Service meal count forms had errors

Condition

The Sponsor did not correctly complete the daily point of service meal count sheets. Some of the numbers reported did not match what was marked at the actual point of service. Meals were also disallowed if the point of service meal count sheet was not signed. Our review of the Sponsor’s records revealed the following:

Site Name	First Meals Allowed/ Disallowed	Dates of Meal Allowance/ Disallowance
0106 Abington Apartments	+1 Lunch	06/29/17
002 Appletree Apartments	-11 PM Supplements	06/13/17
0050 Bent Tree Apartments	-16 Lunches	06/05/17, 06/06/17, 06/09/17, 06/12/17, 06/21/17
	-7 PM Supplements	06/05/17, 06/06/17, 06/13/17, 06/16/17
0003 Bernal E. Smith Boys & Girls Club	-94 PM Supplements	06/06/17, 06/16/17
0006 Carriage House Apartments	-21 Lunches	06/13/17, 06/30/17
	-50 Supplements	06/13/17
0104 Huntington Hill Apartments	+2 Lunches	06/22/17, 06/23/17
	+2 PM Supplements	06/22/17, 06/23/17
0019 New Life Holiness Church	+1 Breakfast	06/27/17
	-1 Lunch	06/21/17
0021 Oakhaven Boys & Girls Club	-1 PM Supplement	06/20/17
0095 Pendleton Place Apartments	+7 Lunches	06/19/17, 06/20/17
0091 Promise Academy- Spring Hill	-1 PM Supplements	06/08/17
0028 St. Mark M.B. church	-2 Lunches	
0030 Street Ministries- Graham	+4 Lunches	06/13/17
0105 Summit Park Apartments	+4 Lunches	06/13/17
	-29 PM Supplements	06/12/17, 06/15/17
0032 Sycamore View Boys & Girls	-165 Lunches	06/12/17

Site Name	First Meals Allowed/ Disallowed	Dates of Meal Allowance/ Disallowance
0033 Tigerland Academy Summer Camp	-129 Breakfasts	06/27/17
	+1 Lunch	06/28/17
0011 Ira Samelson Jr. Boys & Girls Club	-11 Breakfasts	06/08/17, 06/20/17
	-4 Lunches	06/07/17, 06/12/17
0045 Hillview Village Apartments	+10 Lunches	06/20/17, 06/26/17
	+4 PM Supplements	06/08/17
0098 Riverview Youth Development Program	-80 Lunches	06/09/17
	-80 PM Supplements	06/09/17

As a result of our testing, 139 breakfasts, 260 lunches, and 267 pm supplements were disallowed.

Criteria

According to the USDA FNS Summer Food Service Program 2016 Administration Guide for sponsors, pages 66 and 184, meals must be counted at the actual point of service, i.e., meals are counted as they are served, to ensure that an accurate count of meals served is obtained and reported.

According to the Summer Food Service Program 2016 Administrative Guidance for Sponsors, pages 184 and 139, all sponsors must use daily site records in order to document the number of program meals they have served to children. The sponsor must provide all necessary record sheets to the sites. Site supervisors are then responsible for keeping the records each day. They may have their monitors pick up site reports on designated days, or the site supervisors may be asked to mail the records to the sponsor's office. When they collect the site records, sponsors should check for the site supervisor's signature.

Recommendation

Sponsor should ensure that site personnel complete and submit accurate meal count records which support the claim for reimbursement and sign before submission.

3. The number of meals reported for the dates of two meal observations was incorrect

Condition

The Sponsor did not correctly claim the meals observed by the Audit Services Division staff during two site visits as follows:

On June 21, 2017 we completed an unannounced site visit to 0002 Apple Tree Apartments for the lunch meal service. Audit Services staff observed that no meals were served. However, according to the meal count sheet provided to us, the Sponsor claimed 40 1st lunches and 10 second lunches served on that date. The claimed and reconciled meal differences are reflected in Finding 1 as a meal count error.

On June 30, 2017 we completed an unannounced site visit to 0104 Huntington Hills Apartments for the lunch meal service. Audit Services staff observed 12 meals served. However, according to the meal count sheet provided to us, the Sponsor claimed 25 meals.

The claimed and reconciled meal differences are reflected in Finding 1 as a meal count error.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9(d)(5) states in part "... In submitting a claim for reimbursement, each sponsor shall certify that the claim is correct and that records are available to support this claim. Failure to maintain such records may be grounds for denial of reimbursement for meals served and/or administrative costs claimed during the period covered by the records in question...."

Recommendation

The Sponsor should ensure that site personnel perform and submit accurate meal count sheets.

4. USDA meal pattern requirements were not met during a meal observation

Condition

During the observation of lunch at 0104 Huntington Hills Apartments on June 30, 2017, twelve meals were served. The lunch consisted of a peanut butter and jelly sandwich, string cheese, an apple, and fat-free chocolate milk. 100% fruit juice was delivered with meals, but was not served with the other components. Therefore, only 1 fruit was served. 12 lunches were disallowed as a result.

Criteria

Title 7 of the US Code of Federal Regulations, Section 225.16(d) states, in part, "Sponsors shall ensure that meals served meet all of the (meal pattern) requirements."

In addition, Section 225.16(2) Footnote 5 states "Serve 2 or more kinds of vegetable(s) and/or fruits or a combination of both. Full strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement."

Recommendation

All required meal components were delivered by Sponsor. However, site personnel were unsure of the USDA meal requirements, and therefore did not serve juice with lunch. The Sponsor should ensure that all site personnel have been properly trained in recognizing USDA meal pattern requirements for approved meals being served at sites.

5. Meals were served outside of approved meal service time

Condition

On June 21, 2017, Audit Services Division staff completed an unannounced visit to 002 Appletree Apartments. Per TIPS, the site's approved lunch meal service time is 12:00 pm – 1:00 pm. Audit services staff arrived at approximately 11:55 am and a site administrator stated that she had already served participants. Program monitors did not observe participants eating meals on site during the approved meal service time. According to the meal count documentation, 40 first lunches and 10 seconds were claimed. The claimed and reconciled meal differences are reflected in Finding 1 as a meal count error.

On June 30, 2017, Audit Services Division staff completed an unannounced visit to 0011 Ira Samelson, Jr. Boys & Girls Club. Per TIPS, the site's approved breakfast meal service time is 9:30 am – 10:00 am. Audit Services staff arrived at approximately 9:15 am and a site administrator stated that some first meals had been served. According to the meal count documentation, 90 first meals were claimed. Audit services staff observed 9 first meals and 9 second meals served during the approved meal service time. The claimed and reconciled meal differences are reflected in Finding 1 as a meal count error.

Criteria

Title of the US Code of Federal Regulations, Section 225.16 (c) (3) and (4) states, "Meals served outside of the period of approved meal service shall not be eligible for Program payments. Any permanent or planned changes in meal service periods must approved by the State agency."

Recommendation

The sponsor should work closely with site administrators to ensure that sites are adhering to TIPS approved meal service times. If the Sponsor wishes to change the approved meal service time, they should request and receive approval for the change via TIPS.

6. The number of meals reported exceeded the site's approved level of meal service

Condition

Our review of the Sponsor's records revealed the following:

Name of Site and serving capacity	Date	Number of meals reported	Number of meals disallowed
0044 Hamilton High School, Capacity 75	06/05/17	150 Lunches	75 Lunches
0044 Hamilton High School, Capacity 75	06/05/17	150 Supplements	75 Supplements
0044 Hamilton High School, Capacity 75	06/06/17	150 Lunches	75 Lunches
0044 Hamilton High School, Capacity 75	06/06/17	150 Supplements	75 Supplements
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/05/17	200 Lunches	125 Lunches
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/05/17	200 Supplements	125 Supplements
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/06/17	200 Lunches	125 Lunches

Name of Site and serving capacity	Date	Number of meals reported	Number of meals disallowed
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/06/17	200 Supplements	125 Supplements
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/07/17	200 Lunches	125 Lunches
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/07/17	200 Supplements	125 Supplements
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/08/17	200 Lunches	125 Lunches
0013 Keystone Landing Apartments, Capacity 75 changed to 200 6/9/17	06/08/17	200 Supplements	125 Supplements
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/05/17	200 Lunches	75 Lunches
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/05/17	200 Supplements	75 Supplements
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/06/17	150 Lunches	25 Lunches
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/06/17	200 Supplements	75 Supplements
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/07/17	200 Lunches	75 Lunches
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/07/17	200 Supplements	75 Supplements
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/08/17	200 Lunches	75 Lunches
0051 Manassas High School, Capacity 125 changed to 200 on 6/9/17	06/08/17	200 Supplements	75 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/12/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/14/17	165 Lunches	15 Lunches

Name of Site and serving capacity	Date	Number of meals reported	Number of meals disallowed
Sycamore View Boys & Girls Club, Capacity 150	06/14/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/15/17	165 Lunches	15 Lunches
Sycamore View Boys & Girls Club, Capacity 150	06/15/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/16/17	165 Lunches	15 Lunches
Sycamore View Boys & Girls Club, Capacity 150	06/16/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/19/17	165 Lunches	15 Lunches
Sycamore View Boys & Girls Club, Capacity 150	06/19/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/20/17	165 Lunches	15 Lunches
Sycamore View Boys & Girls Club, Capacity 150	06/20/17	165 Supplements	15 Supplements
Sycamore View Boys & Girls Club, Capacity 150	06/21/17	155 Lunches	5 Lunches

As a result 980 lunches and 1,040 pm supplements were disallowed.

Criteria

The United States Department of Agriculture (USDA) Food and Nutrition Service (FNS) Summer Food Service Program 2016 *Administration Guide* for sponsors, states "Reimbursement may not be claimed for meals in excess of the site's approved level of meal service."

Recommendation

The Sponsor should ensure that meals are not claimed above the maximum approved level of meal service prior to the submission of a claim.

7. Meals were served outside the sponsor's approved meal service dates

Condition

According to meal count documentation, 0032 Sycamore View Boys & Girls Club served 160 supplements on June 1, 2017. The approved service dates of operation listed in TIPs were from June 5, 2017 through July 28, 2017. As a result 160 supplements were disallowed.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.16 (c) (6) states that “The Sponsor shall claim for reimbursement only the type(s) of meals for which it is approved under its agreement with the State agency.” *Title 7 of the Code of Federal Regulations, Section 225.16(c)(4)* also states that “Any permanent or planned changes in meal service periods must be approved by the State agency.” These changes include change in meal service time and the type of meal being served, i.e. breakfast, lunch, snack, and/or supper.

Recommendation

The Sponsor should ensure that meals being served at all sites are in accordance with approved meal service dates reported in TIPS. The sponsor should also ensure that any changes made to site meal service dates via the TIPS program are up to date.

8. Unapproved meals were claimed at one site

Condition

Our review of the Sponsor’s records indicates that Zion Temple COGIC was approved to serve a breakfast and lunch during the operational dates of June 12, 2017 through June 16, 2017. They were not approved to serve supplements or suppers. However, according to the site claim report, 50 first and 3 second pm supplements and 50 first and 3 second suppers were claimed.

Because they were not approved to serve supplements or suppers, 53 supplements and 53 suppers were disallowed.

Criteria

Title 7 of the Code of Federal Regulations, Section 225.16(c)(6) states that “The Sponsor shall claim for reimbursement only the type(s) of meals for which it is approved under its agreement with the State agency.” *Title 7 of the Code of Federal Regulations, Section 225.16(c)(4)* also states that “Any permanent or planned changes in meal service periods must be approved by the State agency.” These changes include change in meal service time and the type of meal being served, i.e. breakfast, lunch, snack, and/or supper.

Recommendation

The Sponsor should ensure that it only claims reimbursement for authorized meal types.

9. The number of days of operation were reported incorrectly for some sites

Condition

The days of operation for multiple sites were incorrect. Our review of records indicate the following:

Site Name	Operating Days reported in TIPS and Meal type	Days of Operation per Meal Count Sheets
0010 Fountain of Living Praise	5 days/PM Snack	6 days/PM Snack
0016 Memphis All-Stars	19 days/PM Snack	17 days/PM Snack
0109 Olymbec USA	5 days/PM Snack	9 days/PM Snack
0025 Rolling Hills	20 days/Lunch	19 days/Lunch

Site Name	Operating Days reported in TIPS and Meal type	Days of Operation per Meal Count Sheets
Apartments	20 days/PM Snack	19 days/PM Snack
0028 St. Mark M.B. Church	14 days/Breakfast 14 days/Lunch	11 days/Breakfast 12 days./PM Snack
0032 Sycamore View B&G Club	20 days/Lunch	19 days/Lunch
0033 Tigerland Academy	15 days/Breakfast 15 days/Lunch	18 days/Breakfast 20 days/Lunch
0040 Zion Temple COGIC	5 days/Supper	3 days/Supper

Criteria

Title 7 of the Code of Federal Regulations, Section 225.9 (d) indicates that sponsors shall certify that claims submitted for reimbursement are correct and records are available to support the claim submitted.

Recommendation

The Sponsor should review meal count sheets to ensure that operating days are correct when submitting claim for reimbursement.

10. The “And Justice for All” poster was not posted at a site where we performed a meal observation

Condition

We performed an observation of a lunch meal at 0104 Huntington Hills Apartments on June 30, 2017. The “And Justice for All” poster was not displayed in the office or outside where the meals were served.

Criteria

The USDA SFSP 2016 *Administration Guide* for sponsors states “all sponsors and their sites are required to display in a prominent place at the site and in the sponsor’s office, the “And Justice for All” poster developed by USDA or approved by FNS.”

Recommendation

The Sponsor should ensure site personnel possess all required documentation and that they display any posters, menus, etc. that are required by law. The Sponsor should also ensure that site personnel have been properly trained on how to set up a site.

Technical Assistance

Program monitors provided technical assistance regarding the correct way of completing point of service meal count sheets to site personnel at Huntington Hills Apartments and John D. Buckman Boys & Girls Club. Monitors also provided technical assistance on correct meal delivery times to site personnel at Appletree Apartments and Ira Samelson Boys & Girls Club.

Overpayment

Based on our review, we determined that the Sponsor's noncompliance with the applicable Federal and State regulations that govern the SFSP resulted in disallowed meals cost of \$7,177.10.

Corrective Action

Giving Youth a Chance must complete the following actions within 30 days from the date of this report:

- Login to the Tennessee Information Payment System (TIPS) and revise the claim submitted for the center for June 2017, which contains the claim data from the enclosed exhibits;
- Remit a check payable to the ***Tennessee Department of Human Services*** in the amount of \$7,177.10 for recovery of the amounts disallowed in this report. ***Please return the attached billing notice with your check***, and
- Prepare and submit a corrective action plan to address the deficiencies identified in this report. The corrective action plan template is attached. Please return the corrective action plan to:

AuditServices.CAPS.DHS@tn.gov

If you have questions related to the corrective action plan please contact:

Allette Vayda, Director
Child and Adult Care Food Program
8th Floor Citizens Plaza Building
400 Deaderick Street
Nashville, Tennessee 37243
Allette.Vayda@tn.gov
(615) 313-3769

Please note that the amount of disallowed cost is subject to an interest charge. The interest charge will be waived if your revised claim is received within 30 days from the date of this report. If the revised claim is not completed by the 30-day deadline, an interest charge may be billed to your institution. Please mail your check and the billing notice to:

Summer Food Service Program
Fiscal Services
11th Floor, Citizens Plaza Building
400 Deaderick Street
Nashville, Tennessee 37243

In accordance with the federal regulation found at *7 CFR Part 225.13* your institution may appeal the overpayment identified by the monitoring report. The procedures for submitting an appeal are enclosed. The appeal must be submitted to:

Tennessee Department of Human Services
Appeals and Hearings Division, Clerk's Office
P.O. Box 198996
Nashville, TN 37219

If the Institution decides to appeal the amount of disallowed administrative and meals cost, all appeal procedures must be followed as failure to do so may result in the denial of your request for an appeal.

We appreciate the assistance provided during this review. If you have any questions regarding this report, please contact Jackie Yokley, Audit Director 2, at 615-837-5035 or Jackie.D.Yokley@tn.gov.

Sincerely,



Sam O. Alzoubi, CFE
Director of Audit Services

Exhibits

cc: Allette Vayda, Director, Child and Adult Care Food Program
Constance Moore, Program Specialist, Child and Adult Care Food Program
Marty Widner, Program Specialist, Child and Adult Care Food Program
Elke Moore, Community and Social Services Nutrition Programs
Comptroller of the Treasury, State of Tennessee

EXHIBIT A

Summary of Total Claimed and Reconciled Meals
Sponsor: Giving Youth a Chance
Review Month/Year: June 2017
Total Meal Reimbursement Received: \$196,145.35

Site Meal Service Activity	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of Participating Sites for Breakfast	4	5
Number of Participating Sites for Lunch	33	34
Number of Participating Sites for Supplements	32	31
Number of Participating Sites for Supper	2	1
Number of 1 st Breakfasts Served	5,593	5,375
Number of 2 nd Breakfasts Served before 2% allowance calculation	175	167
Number of 2 nd Breakfasts after 2% allowance and disallowances	112	110
Number of 1 st Lunches Served	38,845	37,452
Number of 2 nd Lunches Served before 2% allowance calculation	807	953
Number of 2 nd Lunches after 2% allowance and disallowances	777	774
Number of 1 st Supplements Served	33,982	32,587
Number of 2 nd Supplements Served before 2% allowance calculation	505	759
Number of 2 nd Supplements after 2% allowance and disallowances	505	679
Number of 1 st Suppers Served	132	73
Number of 2 nd Supplements Served	3	3
Number of 2 nd Suppers after 2% allowance and disallowances	2	0

Exhibit B

Sponsor: Giving Youth A Chance
Site: Appletree Apartments-0002 (Sample)
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	758	718
Number of 2 nd Lunches Served	92	107
Number of 1st Snack Served	756	747
Number of 2 nd Snack Served	92	117

Exhibit C

Sponsor: Giving Youth A Chance
Site: Bernal E. Smith Boys & Girls Club-0003(Sample)
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	1,746	1,800
Number of 2 nd Lunches Served	0	9
Number of 1st Snacks Served	1,755	1,714
Number of 2 nd Snacks Served	0	18

Exhibit D

Sponsor: Giving Youth A Chance
Site: Family Dentistry-0042(Sample)
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	16	16
Number of 1st Lunches Served	335	329
Number of 2 nd Lunches Served	6	15
Number of 1st Snacks Served	427	427
Number of 2 nd Snacks Served	0	3

Exhibit E

Sponsor: Giving Youth A Chance
Site: Huntington Hills Apartments-0104(Sample)
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	548	523
Number of 2 nd Lunches Served	6	10
Number of 1st Snacks Served	519	517
Number of 2 nd Snacks Served	14	19

Exhibit F

Sponsor: Giving Youth A Chance
Site: Ira Samelson, Jr. Boys & Girls Club-0011(Sample)
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Breakfasts Served	1,940	1,848
Number of 2 nd Breakfasts Served	31	20
Number of 1st Lunches Served	2,179	2,175
Number of 2 nd Lunches Served	43	46

Exhibit G

Sponsor: Giving Youth A Chance
Site: Abington Apartments-0106
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	412	415
Number of 2 nd Lunches Served	0	7
Number of 1st Snacks Served	402	402
Number of 2 nd Snacks Served	0	2

Exhibit H**Sponsor: Giving Youth A Chance****Site: Annie's Townhomes-0001****Review Month/Year: June 2017**

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	1,729	1,729
Number of 2 nd Lunches Served	120	120
Number of 1st Snacks Served	1,755	1,755
Number of 2 nd Snacks Served	30	110

Exhibit I**Sponsor: Giving Youth A Chance****Site: Bent Tree Apartments-0050****Review Month/Year: June 2017**

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	1,875	1,859
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	1,875	1,868
Number of 2 nd Snacks Served	0	0

Exhibit J

Sponsor: Giving Youth A Chance
Site: Carriage House Apartments-0006
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1 st Lunches Served	1,000	979
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	1,000	950
Number of 2 nd Snacks Served	0	0

Exhibit K

Sponsor: Giving Youth A Chance
Site: Creekwood Village 0094
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	4	4
Number of 1st Lunches Served	155	155
Number of 2 nd Lunches Served	11	11
Number of 1st Snacks Served	155	155
Number of 2 nd Snacks Served	11	11

Exhibit L

Sponsor: Giving Youth A Chance
Site: Crockett Park Apartments-0063
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	5	5
Number of 1st Lunches Served	235	235
Number of 2 nd Lunches Served	0	15
Number of 1st Snacks Served	245	245
Number of 2 nd Snacks Served	0	5

Exhibit M

Sponsor: Giving Youth A Chance
Site: Fountain Living Praise-0010
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	5	6
Number of 1st Snacks Served	117	134
Number of 2 nd Snacks Served	0	0

Exhibit N

Sponsor: Giving Youth A Chance
Site: Hamilton High School-0044
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	2	2
Number of 1st Lunches Served	300	150
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	300	150
Number of 2 nd Snacks Served	0	0

Exhibit O

Sponsor: Giving Youth A Chance
Site: Havenview Middle School-0092
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	10	10
Number of 1st Lunches Served	485	485
Number of 2 nd Lunches Served	63	103
Number of 1st Snacks Served	434	479
Number of 2 nd Snacks Served	107	152

Exhibit P

Sponsor: Giving Youth A Chance
Site: Hillview Village Apartments-0045
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	17	17
Number of 1st Lunches Served	2,752	2,757
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	2,735	2,739
Number of 2 nd Snacks Served	5	0

Exhibit Q

Sponsor: Giving Youth A Chance
Site: Ida B. Wells Academy-0103
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	4	4
Number of 1st Lunches Served	56	56
Number of 2 nd Lunches Served	0	16
Number of 1st Snacks Served	60	60
Number of 2 nd Snacks Served	7	11

Exhibit R

Sponsor: Giving Youth A Chance
Site: John D. Buckman Boys & Girls Club-0012
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Snacks Served	3,000	3,000
Number of 2 nd Snacks Served	0	0

Exhibit S

Sponsor: Giving Youth A Chance
Site: Keystone Landing Apartments-0013
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	2,400	2,000
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	2,400	2,000
Number of 2 nd Snacks Served	0	0

Exhibit T

Sponsor: Giving Youth A Chance
Site: Lakeview Community COGIC-0014
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	5	5
Number of 1st Snacks Served	72	73
Number of 2 nd Snacks Served	0	0
Number of 1st Suppers Served	82	73
Number of 2 nd Suppers Served	0	0

Exhibit U

Sponsor: Giving Youth A Chance
Site: Manassas High School-0051
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	13	13
Number of 1st Lunches Served	2,550	2,300
Number of 2 nd Lunches Served	0	25
Number of 1st Snacks Served	2,550	2,300
Number of 2 nd Snacks Served	0	0

Exhibit V

Sponsor: Giving Youth A Chance
Site: Memphis All-Stars-0016
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	19	19
Number of 1st Lunches Served	348	353
Number of 2 nd Lunches Served	24	3
Number of 1st Snacks Served	332	309
Number of 2 nd Snacks Served	0	32

Exhibit W

Sponsor: Giving Youth A Chance
Site: New Life Holiness Church-0019
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	19	19
Number of 1st Breakfasts Served	904	902
Number of 2 nd Breakfasts Served	24	25
Number of 1st Lunches Served	1,579	1,581
Number of 2 nd Lunches Served	122	132

Exhibit X

Sponsor: Giving Youth A Chance
Site: Oakhaven Boys & Girls Club-0021
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	2,000	2,000
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	2,000	1,999
Number of 2 nd Snacks Served	0	0

Exhibit Y

Sponsor: Giving Youth A Chance
Site: Olymbec USA-0109
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	10	10
Number of 1st Lunches Served	179	180
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	170	156
Number of 2 nd Snacks Served	0	0

Exhibit Z

Sponsor: Giving Youth A Chance
Site: Pendleton Place Apartments-0095
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	8	8
Number of 1st Lunches Served	378	385
Number of 2 nd Lunches Served	5	0
Number of 1st Snacks Served	396	396
Number of 2 nd Snacks Served	10	0

Exhibit AA

Sponsor: Giving Youth A Chance
Site: Promise Academy Spring Hill-0091
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	20
Number of 1st Lunches Served	895	895
Number of 2 nd Lunches Served	44	44
Number of 1st Snacks Served	815	814
Number of 2 nd Snacks Served	53	53

Exhibit BB

Sponsor: Giving Youth A Chance
Site: Red Devils Enrichment Program-0099
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	1,875	1,875
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	1,875	1,875
Number of 2 nd Snacks Served	0	0

Exhibit CC

Sponsor: Giving Youth A Chance
Site: Riverview Youth Development Program-0098
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	14	14
Number of 1st Lunches Served	1,120	1,040
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	1,120	1,040
Number of 2 nd Snacks Served	0	0

Exhibit DD

Sponsor: Giving Youth A Chance
Site: Rolling Hills Apartment Complex-0025
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	19
Number of 1st Lunches Served	2,000	1,900
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	2,000	1,900
Number of 2 nd Snacks Served	0	0

Exhibit EE

Sponsor: Giving Youth A Chance
Site: Saints Court-0026
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	941	941
Number of 2 nd Lunches Served	120	120
Number of 1st Snacks Served	966	966
Number of 2 nd Snacks Served	120	120

Exhibit FF

Sponsor: Giving Youth A Chance
Site: St. Mark M.B. Church-0028
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	14	12
Number of 1st Breakfasts Served	361	289
Number of 2 nd Breakfasts Served	120	110
Number of 1st Lunches Served	397	340
Number of 2 nd Lunches Served	127	117

Exhibit GG

Sponsor: Giving Youth A Chance
Site: Street Ministries Graham-0030
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	18	18
Number of 1st Lunches Served	422	456
Number of 2 nd Lunches Served	0	17

Exhibit HH

Sponsor: Giving Youth A Chance
Site: Summit Park Apartments-0105
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	1,115	1,119
Number of 2 nd Lunches Served	3	5
Number of 1st Snacks Served	450	421
Number of 2 nd Snacks Served	10	0

Exhibit II

Sponsor: Giving Youth A Chance
Site: Sunrise Terrace Apartments-0090
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	15
Number of 1st Lunches Served	557	557
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	557	557
Number of 2 nd Snacks Served	0	0

Exhibit JJ

Sponsor: Giving Youth A Chance
Site: Sycamore View Boys & Girls Club-0032
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	20	19
Number of 1st Lunches Served	2,799	2,389
Number of 2 nd Lunches Served	21	31
Number of 1st Snacks Served	2,694	2,439
Number of 2 nd Snacks Served	43	95

Exhibit KK

Sponsor: Giving Youth A Chance
Site: Tigerland Academy Summer Camp-0033
Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	15	20
Number of 1st Breakfasts Served	2,388	2,255
Number of 2 nd Breakfasts Served	0	0
Number of 1st Lunches Served	2,725	2,726
Number of 2 nd Lunches Served	0	0

Exhibit LL

Sponsor: Giving Youth A Chance

Site: Zion Temple COGIC

Review Month/Year: June 2017

Site Meal Service Activity and Monitor Reconciliation	Reported on Claim	Reconciled Meals to Meal Counts Sheets
Total Number of Days Food Served	5	5
Number of 1 st Breakfasts Served	0	81
Number of 2 nd Breakfasts Served	0	3
Number of 1 st Lunches Served	0	50
Number of 2 nd Lunches Served	0	0
Number of 1st Snacks Served	50	0
Number of 2 nd Snacks Served	0	0
Number of 1st Suppers Served	50	0
Number of 2 nd Suppers Served	0	0

*Site claimed incorrect meal type, reconciled meal count reflects all meal differences.

Exhibit MM

Overpayment Summary

Disallowed Meals	X Meal Rate	Total
220 Breakfasts	\$2.1875	\$481.25
1,396 Lunches	\$3.8325	\$5,350.17
1,221 PM Supplements	\$0.9075	\$1,108.06
62 Suppers	\$3.8325	\$237.62
Total		\$7,177.10



**STATE OF TENNESSEE
DEPARTMENT OF HUMAN SERVICES**

CITIZENS PLAZA BUILDING
400 DEADERICK STREET
NASHVILLE, TENNESSEE 37243-1403

TELEPHONE: 615-313-4700 FAX: 615-741-4165
TTY: 1-800-270-1349
www.tn.gov/humanservices

BILL HASLAM

GOVERNOR

DANIELLE W. BARNES

COMMISSIONER

October 11, 2017

Mr. Rosman Randle, Director
Giving Youth A Chance
476 Lipford Street
Memphis, Tennessee 38112

Notice of payment due to findings disclosed in the monitoring report dated October 11, 2017, for Summer Food Service Program (SFSP).

Institution Name:	Giving Youth a Chance
Institution Address:	476 Lipford Street Memphis, Tennessee 38112
Agreement Numbers:	00-033
Amount Due:	\$7,177.10
Due Date:	November 11, 2017

Based on the monitoring report issued on October 11, 2017 by the Audit Services Division within the Tennessee Department of Human Services, the Community and Social Services- Food Programs- CACFP & SFSP management has agreed with the findings which requires Giving Youth a Chance to reimburse the Department of Human Services unallowed cost in the amount of \$7,177.10

Please remit a check or money order payable to the *Tennessee Department of Human Services* in the amount of \$7,177.10 by the due date to:

**Tennessee Department of Human Services
Fiscal Services 11th Floor
Citizens Plaza Building
400 Deaderick Street
Nashville, Tennessee 37243-1403**

Please note that the unallowed cost / overpayment of the SFSP is subject to an interest charge. The interest charge will be waived if the payment is received by the due date. If payment is not received by the end of 5th day of the due date, an interest charge may be added to the original amount due and will be billed to your entity.

If you have any questions regarding this notice, please feel free to contact Allette Vayda, Director, Community and Social Services- Food Programs - CACFP & SFSP at (615) 313-3769 or Allette.Vayda@tn.gov.

Thank you for your attention



Corrective Action Plan for Monitoring Findings

Instructions: Please print in ink or type the information to complete this document. Enter the date of birth for each Responsible Principal and/or Individual in Section B. Attach the additional documentation requested. Enter your name, title and date of signature on the last page. Please sign your name in ink. **Please return ALL pages of the completed Corrective Action Plan form.**

Section A. Institution Information

Name of Sponsor/Agency/Site: Giving Youth a Chance	Agreement No. 00-033	<input checked="" type="checkbox"/> SFSP <input type="checkbox"/> CACFP
--	-------------------------	--

Mailing Address: 476 Lipford Street

Section B. Responsible Principal(s) and/or Individual(s)

Name and Title: Mr. Rosman Randle, Director	Date of Birth: / /
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Section C. Dates of Issuance of Monitoring Report/Corrective Action Plan

Monitoring Report: 10/11/2017	Corrective Action Plan: 10/11/2017
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Section D. Findings

Findings:

1. The number of meals reported for reimbursement was incorrect
2. Point of Service meal count forms had errors
3. The number of meals reported for the dates of the two meal observations was incorrect
4. USDA meal pattern requirements were not met during a meal observation
5. Meals were served outside of approved meal service time
6. The number of meals reported exceeded the site's approved level of meal service
7. Meals were served outside the sponsor's approved meal service dates
8. Unapproved meals were claimed at one site
9. The number of days of operation were reported incorrectly for some sites
10. The "And Justice for All" poster was not posted at a site where we performed a meal observation

The following measures will be completed within **30 calendar days** of my institution's receipt of this corrective action plan:

Measure No. 1: The number of meals reported for reimbursement was incorrect

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No.2: Point of Service meal count forms had errors

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 3: The number of meals reported for the dates of two meal observations was incorrect

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 4: USDA meal pattern requirements were not met during a meal observation

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: _____ Position Title: _____

Name: _____ Position Title: _____

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 5: Meals were served outside of approved meal service time

The finding will be fully and permanently corrected.
Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No.6: The number of meals reported exceeded the site's approved level of meal service

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 7: Meals were served outside the sponsor's approved meal service dates

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 8: Unapproved meals were claimed at one site

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name:

Position Title:

Name:

Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 9: The number of days of operation were reported incorrectly for some sites

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

Measure No. 10: The “And Justice for All” poster was not posted at a site where we performed a meal observation

The finding will be fully and permanently corrected.

Identify the name(s) and position title(s) of the employee(s) who will be responsible for ensuring that the finding is fully and permanently corrected:

Name: Position Title:

Name: Position Title:

Describe below the **step-by-step** procedures that will be implemented to correct the finding:

When will the procedures for addressing the finding be implemented? Provide a timeline below for implementing the procedures (i.e., will the procedures be done daily, weekly, monthly, or annually, and when will they begin?):

Where will the Corrective Action Plan documentation be retained? Please identify below:

How will new and current staff be informed of the new policies and procedures to address the finding (e.g., Handbook, training, etc.)? Please describe below:

I certify by my signature below that I am authorized by the institution to sign this document. As an authorized representative of the institution, I fully understand the corrective measures identified above and agree to fully implement these measures within the required time frame. I also understand that failure to fully and permanently correct the findings in my institution's CACFP or SFSP will result in its termination from the program, and the placement of the institution and its responsible principals on the National Disqualified List maintained by the U.S. Department of Agriculture.

Printed Name of Authorized Institution Official:

Position:

Signature of Authorized Institution Official: _____

Date: / /

Signature of Authorized TDHS Official: _____

Date: / /

- (xi) The institution, one of its sponsored facilities, or one of the principals of the institution or its facilities has been convicted for any activity that indicates a lack of business integrity;

(c) Administrative review is also available if the State agency notifies the institution and responsible principal or responsible individual of the following actions: proposed disqualification of a responsible principal or responsible individual, denial of a budget, denial of a line item within a budget, downward adjustment of the amount approved in a budget, suspension of an institution's participation, denial of start-up or expansion funds, denial of a request for advanced payment, recovery of an advance in excess of a claim, denial of a claim for reimbursement (except for late submission), decision not to forward an exception request for payment of a late claim, overpayment demand, denial of a new or renewing institution's application for participation, denial of sponsored facility application, notice of proposed termination, claim denial, claim deadline exceptions and requests for upward adjustments to a claim, or any other action affecting an institutions participation or claim for payment.

3. All appeal requests must be presented in writing to the TDHS Division of Appeals and Hearings not later than 15 calendar days after the date the institution or sponsoring agency receives the notice of adverse administrative action.

4. The date of an institution's or sponsoring agency's receipt of a notice of suspension and/or proposed termination and disqualification will be governed by the federal regulation at 7 CFR Part 226.2. The notice must specify the action being proposed or taken and the basis for the action, and is considered to be received by the institution or day care home when it is delivered, sent by facsimile, or sent by email. If the notice is undeliverable, it is considered to be received by the institution, responsible principal or responsible individual, or day care home five days after being sent to the addressee's last known mailing address, facsimile number, or email address.

5. The TDHS Division of Appeals and Hearings will acknowledge the receipt of the appeal request within 10 calendar days of the receipt of the institution's or sponsoring agency's request for review. The written request for review should state if a fair hearing is requested or if a review of written information in lieu of a fair hearing is requested. If the appeal request from the institution or sponsoring agency does not specifically request a hearing, a review of written information in lieu of a hearing will occur. If a fair hearing is requested and the institution or sponsoring agency's representative fails to appear, the right to a personal appearance is waived.

6. If an institution or sponsoring agency does not request a fair hearing or a review of written information in lieu of the hearing within 15 calendar days from the date the institution or sponsoring agency receives a Notice of Proposed Termination, the TDHS will issue a letter advising the institution or sponsoring agency that it is terminated from the CACFP effective on the 16th calendar day following the institution's or sponsoring agency's receipt of the notice, and that the responsible principals and individuals of the institution or sponsoring agency are disqualified from participation.

7. To be considered for a fair hearing or for a review of written information in lieu of a fair

Appeal Procedures for Child and Adult Care Food Program-Institutions
Revised March 2017

hearing, all written documents must be submitted to the TDHS Division of Appeals and Hearings not later than 30 days after receipt of the notice of adverse administrative action.

8. The action of the TDHS must remain in effect during the administrative review. The effect of this requirement on particular actions by TDHS is as follows:

(i) *Overpayment demand.* During the period of the administrative review, TDHS is prohibited from taking action to collect or offset the overpayment. However TDHS must assess interest beginning with the initial demand for remittance of the overpayment and continuing through the period of administrative review unless the administrative review official overturns the TDHS's action.

(ii) *Recovery of advances.* During the administrative review, TDHS must continue its efforts to recover advances in excess of the claim for reimbursement for the applicable period. The recovery may be through a demand for full repayment or an adjustment of subsequent payments.

(iii) *Program payments.* The availability of Program payments during an administrative review of the denial of a new institution's application, denial of a renewing institution's application, proposed termination of a participating institution's agreement, and suspension of an institution are addressed in paragraphs (c)(1)(iii)(D), (c)(2)(ii)(D), (c)(3)(iii)(D), (c)(5)(i)(D), and (c)(5)(ii)(E), respectively, of 7 CFR §226.6.

9. The institution or sponsoring agency must refute the charges contained in the notice during the fair hearing or in the written information that is provided in lieu of the hearing.

10. The institution and the responsible principals and responsible individuals may retain legal counsel, or may be represented by another person.

11. If a fair hearing is requested, the institution or sponsoring agency will be notified in writing of the time, date and place of the fair hearing at least 10 calendar days in advance.

12. Any information which supports an adverse administrative action taken by the TDHS shall be available to the institution or sponsoring agency for inspection from the date of the receipt of the request for a fair hearing or a review of written information in lieu of the hearing.

13. In accordance with 7 CFR Part 226.6 (k)(8), the TDHS Division of Appeals and Hearings must conduct the administrative review of the proposed disqualification of the responsible principals and responsible individuals as part of the administrative review of the application denial, proposed termination, and/or proposed disqualification of the institution with which the responsible principals or responsible individuals are associated. However, at the administrative review official's discretion, separate administrative reviews may be held if the institution does not request an administrative review or if either the institution or the responsible principal or responsible individual demonstrates that their interests conflict.

14. The procedures contained in the Uniform Administrative Procedures Act found at TCA 4-5-301 et seq. shall be followed in rendering a decision on all appeals. The decision of the hearing officer is the final administrative determination to be afforded to the institution or sponsoring agency, and shall be rendered in a timely manner not to exceed 60 calendar days from the date of the receipt of the request for a fair hearing.

15. The processing limits for administrative appeals MUST be met. In the event a continuance is requested by a party, one continuance may be granted at the Hearing Official's discretion. This

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continuance shall not be for a period longer than ten (10) calendar days unless there are exceptional circumstances. Exceptional circumstances must be detailed in the order of continuance and the order must contain a date certain for the hearing, to be set as soon as possible. A report of pending CACFP desk review and fair hearing requests will be generated and reviewed daily by the Clerk's Office and the Legal Director for Appeals and Hearings who will monitor the dates for timeliness. In the event a decision has not been rendered within forty-five (45) calendar days of the date of receipt of the request for fair hearing or desk review, the Legal Director for Appeals and Hearings or their back-up shall notify the hearing official to take appropriate action.

16. All requests for a fair hearing or for a review of written information in lieu of a hearing must be submitted to:

Tennessee Department of Human Services
Division of Appeals and Hearings
PO Box 198996, Clerk's Office
Nashville, TN 37219-8996
Fax: (615) 248-7013 or (866) 355-6136
E-mail: AppealsClerksOffice.DHS@tn.gov

17. If a termination action is upheld by the hearing officer, the TDHS will issue a letter to the institution or sponsoring agency and its responsible principals and individuals advising that the termination and disqualification are effective on the date of the ruling issued by the hearing officer. The agency maintains searchable records of all administrative reviews and their dispositions for a period of five (5) years.

18. As required by 7 CFR Part 226.6 (c)(7), each disqualified institution, sponsoring agency, principal and individual will be placed on the National Disqualified List maintained by the U.S. Department of Agriculture (USDA). Once included on the National Disqualified List, an institution, sponsoring agency, principal and individual shall remain on the list until such time as the USDA, in consultation with the TDHS, determines that the serious deficiencies that led to their placement on the list have been corrected, or until seven years have elapsed since they were disqualified from participation. However, if the institution, sponsoring agency, principal or individual has failed to repay debts owed under the program, they will remain on the list until the debt has been paid.